

House File 879 - Enrolled

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HOUSE FILE 879

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1 3 AN ACT
1 4 RELATING TO THE REGULATION OF SNOWMOBILES AND ESTABLISHING
1 5 FEES.
1 6
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 8
1 9 Section 1. Section 321G.1, subsection 18, Code 2005, is
1 10 amended to read as follows:
1 11 18. "Snowmobile" means a motorized vehicle weighing less
1 12 than one thousand pounds which uses sled-type runners or skis,
1 13 endless belt-type tread with a width of forty-eight inches or
1 14 less, or any combination of runners, skis, or tread, and is
1 15 designed for travel on snow or ice. "Snowmobile" does not
1 16 include an all-terrain vehicle, as defined in section 321I.1,
1 17 which has been altered or equipped with runners, skis, belt-
1 18 type tracks, or treads.
1 19 Sec. 2. Section 321G.3, subsection 1, Code 2005, is
1 20 amended to read as follows:
1 21 1. Each snowmobile used on public land or ice of this
1 22 state shall be currently registered and numbered. A person
1 23 shall not operate, maintain, or give permission for the
1 24 operation or maintenance of a snowmobile on public land or ice
1 25 unless the snowmobile is numbered in accordance with this
1 26 chapter, ~~or applicable federal laws, or an approved numbering~~
1 27 ~~system of another state, and unless the snowmobile displays a~~
1 28 ~~current annual user permit for the snowmobile. If the~~
1 29 ~~snowmobile is required to be registered in this state, the~~
1 30 identifying number set forth in the registration ~~is~~ shall be
1 31 displayed as prescribed by rules of the commission.
1 32 Sec. 3. Section 321G.4, Code 2005, is amended to read as
1 33 follows:
1 34 321G.4 REGISTRATION WITH COUNTY RECORDER == FEE.
1 35 1. The owner of each snowmobile required to be numbered
2 1 shall register it annually with the department through the
2 2 county recorder of the county in which the owner resides or,
2 3 if the owner is a nonresident, the owner shall register it in
2 4 the county in which the snowmobile is principally used. The
2 5 department shall develop and maintain an electronic system for
2 6 the registration of snowmobiles pursuant to this chapter. The
2 7 commission has supervisory responsibility over department
2 8 shall establish forms and procedures as necessary for the
2 9 registration of snowmobiles and shall provide each county
2 10 recorder with registration forms and certificates and shall
2 11 ~~allocate registration numbers to each county.~~
2 12 2. The owner of the snowmobile shall file an application
2 13 for registration with the department through the appropriate
2 14 county recorder ~~on forms provided in the manner established by~~
2 15 the commission. The application shall be completed and signed
2 16 by the owner and shall be accompanied by a fee of fifteen
2 17 dollars and a writing fee. A snowmobile shall not be
2 18 registered by the county recorder until the county recorder is
2 19 presented with receipts, bills of sale, or other satisfactory
2 20 evidence that the sales or use tax has been paid for the
2 21 purchase of the snowmobile or that the owner is exempt from
2 22 paying the tax. A snowmobile that has an expired registration
2 23 certificate from another state may be registered in this state
2 24 upon proper application, payment of all applicable
2 25 registration and writing fees, and payment of a penalty of
2 26 five dollars.
2 27 3. Upon receipt of the application in approved form
2 28 accompanied by the required fees, the county recorder shall
2 29 ~~enter it upon the records~~ register the snowmobile with the
2 30 department and shall issue to the applicant a registration
2 31 certificate. ~~The certificate shall be executed in triplicate,~~
2 32 ~~one copy to be delivered to the owner, one copy to the~~
2 33 ~~commission, and one copy to be retained on file by the county~~
2 34 ~~recorder.~~ The registration certificate shall bear the number
2 35 awarded to the snowmobile and the name and address of the
3 1 owner. The registration certificate shall be carried either
3 2 in the snowmobile or on the person of the operator of the
3 3 snowmobile when in use. The operator of a snowmobile shall
3 4 exhibit the registration certificate to a peace officer upon
3 5 request, to a person injured in an accident involving a

3 6 snowmobile, to the owner or operator of another snowmobile or
3 7 the owner of personal or real property when the snowmobile is
3 8 involved in a collision or accident of any nature with another
3 9 snowmobile or the property of another person, or to the
3 10 property owner or tenant when the snowmobile is being operated
3 11 on private property without permission from the property owner
3 12 or tenant.

3 13 4. If a snowmobile is placed in storage, the owner shall
3 14 return the current registration certificate to the county
3 15 recorder with an affidavit stating that the snowmobile is
3 16 placed in storage and the effective date of storage. The
3 17 county recorder shall notify the ~~commission~~ department of each
3 18 snowmobile placed in storage. When the owner of a stored
3 19 snowmobile desires to renew the registration, the owner shall
3 20 make application ~~to~~ through the county recorder and pay the
3 21 registration and writing fees without penalty. A refund of
3 22 the registration fee shall not be allowed for a stored
3 23 snowmobile.

3 24 5. Notwithstanding subsections 1 and 2, a snowmobile that
3 25 is more than thirty years old may be registered for a one-time
3 26 fee of twenty-five dollars, which shall exempt the owner from
3 27 annual registration and fee requirements for that snowmobile.
3 28 However, if ownership of such a snowmobile is transferred, the
3 29 new owner shall register the snowmobile and pay the one-time
3 30 fee as required under this subsection.

3 31 Sec. 4. NEW SECTION. 321G.4A NONRESIDENT USER PERMITS.

3 32 1. A nonresident wishing to operate a snowmobile, other
3 33 than a snowmobile registered pursuant to this chapter, on
3 34 public land or ice of this state shall first obtain a user
3 35 permit from the department. A user permit shall be issued for
4 1 the snowmobile specified at the time of application and is not
4 2 transferable. A user permit shall be valid for the calendar
4 3 year specified in the permit.

4 4 2. User permits may be issued by a county recorder or a
4 5 license agent pursuant to rules adopted by the commission.
4 6 The fee for a user permit shall be fifteen dollars plus an
4 7 administrative fee established by the commission. A county
4 8 recorder shall retain a writing fee of one dollar from the
4 9 sale of each user permit issued by the county recorder's
4 10 office. The writing fees retained by the county recorder
4 11 shall be deposited in the general fund of the county. A
4 12 license agent designated by the director pursuant to section
4 13 483A.11 shall retain a writing fee of one dollar from the sale
4 14 of each permit issued by the agent.

4 15 Sec. 5. Section 321G.6, subsection 1, Code 2005, is
4 16 amended to read as follows:

4 17 1. Every snowmobile registration certificate and number
4 18 issued expires at midnight December 31 unless sooner
4 19 terminated or discontinued in accordance with this chapter.
4 20 After the first day of September each year, an unregistered
4 21 snowmobile may be registered ~~or~~ and a registration may be
4 22 renewed in one transaction. The fee is five dollars for the
4 23 remainder of the current year, in addition to the registration
4 24 fee of fifteen dollars for the subsequent year beginning
4 25 January 1, and a writing fee.

4 26 Sec. 6. Section 321G.6, Code 2005, is amended by adding
4 27 the following new subsection:

4 28 NEW SUBSECTION. 6. The department shall develop and
4 29 maintain an electronic system for residents to renew
4 30 snowmobile registrations pursuant to this section. A county
4 31 recorder or license agent may issue snowmobile registration
4 32 renewals electronically pursuant to rules adopted by the
4 33 commission. The fee for a registration renewal issued using
4 34 an electronic system is fifteen dollars plus an administrative
4 35 fee established by the commission. A county recorder shall
5 1 retain a writing fee of one dollar and twenty-five cents for
5 2 each registration renewal issued by the county recorder's
5 3 office. The writing fees retained by the county recorder
5 4 shall be deposited in the general fund of the county. A
5 5 license agent designated by the director pursuant to section
5 6 483A.11 shall retain a writing fee of one dollar for each
5 7 registration renewal issued.

5 8 Sec. 7. Section 321G.7, unnumbered paragraph 2, Code 2005,
5 9 is amended to read as follows:

5 10 The department shall remit the fees, including user permit
5 11 fees collected pursuant to section 321G.4A, to the treasurer
5 12 of state, who shall place the money in a special snowmobile
5 13 fund. The money is appropriated to the department for the
5 14 snowmobile programs of the state. The programs shall include
5 15 grants, subgrants, contracts, or cost-sharing of snowmobile
5 16 programs with political subdivisions or incorporated private

5 17 organizations or both in accordance with rules adopted by the
5 18 commission. Snowmobile fees may be used to support snowmobile
5 19 programs on a usage basis. At least fifty percent of the
5 20 special fund shall be available for political subdivisions or
5 21 incorporated private organizations or both. Moneys from the
5 22 special fund not used by the political subdivisions or
5 23 incorporated private organizations or both shall remain in the
5 24 fund and may be used by the department for the administration
5 25 of the snowmobile programs. Notwithstanding section 8.33,
5 26 moneys in the special fund shall not revert to the general
5 27 fund of the state at the end of a fiscal year.
5 28 Notwithstanding section 12C.7, subsection 2, interest or
5 29 earnings on moneys in the special fund shall remain in the
5 30 fund.

5 31 Sec. 8. Section 321G.8, subsection 3, Code 2005, is
5 32 amended by striking the subsection.

5 33 Sec. 9. Section 321G.13, subsection 1, paragraph g, Code
5 34 2005, is amended by striking the paragraph and inserting in
5 35 lieu thereof the following:

6 1 g. In any park, wildlife area, preserve, refuge, game
6 2 management area, or any portion of a meandered stream, or any
6 3 portion of the bed of a nonmeandered stream which has been
6 4 identified as a navigable stream or river by rule adopted by
6 5 the department and which is covered by water, except on
6 6 designated snowmobile trails.

6 7 This paragraph does not prohibit the use of ford crossings
6 8 of public or private roads or any other ford crossing when
6 9 used for agricultural purposes; the operation of construction
6 10 vehicles engaged in lawful construction, repair, or
6 11 maintenance in a streambed; or the operation of snowmobiles on
6 12 ice.

6 13 Sec. 10. Section 331.602, subsection 16, Code 2005, is
6 14 amended to read as follows:

6 15 16. Issue snowmobile ~~registrations~~ and all-terrain vehicle
6 16 registrations and user permits as provided in sections 321G.4,
6 17 321G.4A, 321G.6, 321G.21, 321I.4, 321I.5, 321I.7, and 321I.22.
6 18
6 19

6 20 _____
6 21 CHRISTOPHER C. RANTS
6 22 Speaker of the House
6 23

6 24 _____
6 25 JOHN P. KIBBIE
6 26 President of the Senate
6 27

6 28 I hereby certify that this bill originated in the House and
6 29 is known as House File 879, Eighty-first General Assembly.
6 30
6 31

6 32 _____
6 33 MARGARET THOMSON
6 34 Chief Clerk of the House
6 35

7 1 Approved _____, 2005
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7 3

7 4 _____
7 5 THOMAS J. VILSACK
7 6 Governor